

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Holly Prentice

Appl. No.: 10/532,197

§ 371(c) Date: October 18, 2005

For: **High Expression Locus Vector
Based on Ferritin Heavy Chain
Gene Locus**

Confirmation No.: 8404

Art Unit: 1636

Examiner: Guzo, David

Atty. Docket: 2159.0580001/EKS/LMB

**Second Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(c)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Listed on accompanying IDS Forms PTO/SB/08A and PTO/SB08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. This Second Supplemental Information Disclosure Statement is a continuation of the Applicant's First Supplemental Information Disclosure Statement filed November 14, 2006 in connection with the above-captioned application.

A copy of document **NPL19** is submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), a copy of the U.S. patent, document **US1**, cited on the attached IDS Form PTO/SB/08A is not submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

Statement under 37 C.F.R. § 1.97(e)(1). Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

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Date: 11/17/2008

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